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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

AMANDA DAVIS, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

NATERA INC.,

Defendant.

Case No. 4:22-cv-00985-JST

**JOINT STIPULATION AND [PROPOSED]  
ORDER FOR CONSOLIDATION AND  
SETTING DEADLINES**

AMANDA LAW, individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

NATERA INC.,

Defendant.

Case No. 4:22-cv-01162-JST

1 WHEREAS, there are currently two related proposed class actions currently pending in the  
 2 Northern District of California: (1) *Davis v. Natera, Inc.*, Case No. 4:22-cv-00985-JST (N.D. Cal. filed  
 3 Feb. 17, 2022) (“*Davis Action*”), and (2) *Law v. Natera, Inc.*, Case No. 4:22-cv-01162-JST (N.D. Cal.  
 4 Filed Feb. 24, 2022) (“*Law Action*”), both pending before the Honorable Jon S. Tigar;

5 WHEREAS, Plaintiffs in the *Davis* and *Law* Actions, along with Defendant Natera, Inc. (who  
 6 has not yet appeared in the action), (together, the “parties”), by and through their respective counsel,  
 7 agree that consolidation of the *Davis* and *Law* Actions is appropriate because the Actions involve  
 8 common questions of law and fact in that each involves claims including fraudulent concealment or  
 9 omission, breach of implied warranty, and unjust enrichment asserted against Natera, Inc. based on  
 10 allegations that Natera, Inc. misrepresented the accuracy of its prenatal testing product, Panorama;

11 WHEREAS, Natera, Inc. is currently obligated to respond to the *Davis* complaint on March 21,  
 12 2022 (*see* ECF 13), and is currently obligated to respond to the *Law* complaint on March 30, 2022;

13 WHEREAS, in view of the parties’ stipulation to consolidate, the parties propose, subject to  
 14 Court approval, that this Action proceed on the following schedule: Plaintiffs will file a consolidated  
 15 complaint within thirty days after entry of an order consolidating the *Davis* and *Law* Actions; Defendant  
 16 will answer or otherwise respond within thirty days after the filing of the consolidated complaint; if the  
 17 response is by motion, Plaintiffs’ opposition will be due thirty days after the motion is filed; and  
 18 Defendant’s reply will be due twenty-one days after the opposition is filed;

19 WHEREAS, the *Davis* and *Law* Actions are the only federal actions that the parties are aware of  
 20 arising out of allegations that Natera, Inc. misrepresented the accuracy of its prenatal testing product,  
 21 Panorama; and

22 WHEREAS, the parties agree that if Defendant answers, moves, or otherwise responds to any  
 23 other action filed in, transferred or removed to this Court arising out of allegations that Natera  
 24 misrepresented the accuracy of its prenatal testing product before its deadline to respond to the  
 25 consolidated complaint, it must concurrently answer, move, or respond to: (1) the consolidated  
 26 complaint; or (2) if the consolidated complaint has not been filed, the complaints in the *Davis* and *Law*  
 27 Actions;

NOW THEREFORE, the parties through their respective counsel and subject to the Court's approval hereby stipulate that:

1. The following Actions pending in this District, and any other action arising out of the same or similar operative facts now pending or hereafter filed in, removed to, or transferred to this District shall be consolidated for all purposes, including pretrial proceedings, trial, and appeal, pursuant to Federal Rule of Civil Procedure 42(a) (hereafter the "Consolidated Action"):

- ***Davis v. Natera, Inc.*, Case No. 4:22-cv-00985-JST; and**
- ***Law v. Natera, Inc.*, Case No. 4:22-cv-01162-JST.**

2. All papers filed in the Consolidated Action must be filed under Case No. 4:22-cv-00985-JST, the number assigned to the first-filed case, and must bear the following caption:

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

*IN RE NATERA PRENATAL TESTING  
LITIGATION*

Case No. 4:22-cv-00985-JST

3. The case file for the Consolidated Action will be maintained under Master File No. 4:22-cv-00985-JST.

4. The Clerk is directed to administratively close the following related case:

- ***Law v. Natera, Inc.*, Case No. 4:22-cv-01162-JST**

5. Any proposed class action subsequently filed in, transferred or removed to this Court that arises out of the same or similar operative facts as the Consolidated Action will be consolidated with the Consolidated Action.

6. The following deadlines will be set:

- (a) Plaintiffs will file a consolidated complaint within thirty days after entry of this stipulation to consolidate the *Davis* and *Law* Actions;
- (b) Defendant will answer or otherwise respond within thirty days after the filing of the consolidated complaint;
- (c) If the response is by motion, Plaintiffs' opposition will be due thirty days after the motion is filed; and

(d) Defendant's reply will be due twenty-one days after the opposition is filed.

7. If, during the course of the schedule outlined in paragraph 6, Defendant answers, responds, or moves to dismiss a complaint filed in, transferred or removed to this Court arising out of allegations that Natera misrepresented the accuracy of its prenatal testing product, Defendant will answer, move, or respond to: (1) the consolidated complaint; or (2) if the consolidated complaint has not been filed, the complaints in the *Davis* and *Law* Actions, no later than the same date on which Defendant responds to the other action(s).

8. If Defendant answers, responds or moves to dismiss another complaint arising out of allegations that Natera misrepresented the accuracy of its prenatal testing product which is not filed in this Court during the course of the schedule outlined in paragraph 6, the parties agree to use their best efforts to coordinate discovery and the resolution of common legal issues existing between those actions not filed in this Court and those matters pending in this Court.

**IT IS SO STIPULATED.**

Dated: March 21, 2022

Respectfully submitted,

/s/ Adam E. Polk

**GIRARD SHARP LLP**

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*Counsel for Plaintiff Amanda Davis*

1 Dated: March 21, 2022

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*Counsel for Plaintiff Amanda Law*

23 Dated: March 21, 2022

**NATERA, INC.**

24 By: /s/ Adam M. Tschop

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*Counsel for Defendant Natera, Inc.*

**FILER'S ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Adam E. Polk attest that concurrence in the filing of this document has been obtained.

Dated: March 21, 2022

/s/ Adam E. Polk

Adam E. Polk

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

HONORABLE JON S. TIGAR  
UNITED STATES DISTRICT JUDGE